

SUPREME COURT OF ARKANSAS

No. 12-41

REGIONS BANK, N.A.; STEPHENS
FAMILY LIMITED PARTNERSHIP;
RACHEL STEPHENS; JENNIFER
STEPHENS; ALEX STEPHENS; JOSHUA
STEPHENS; KATHERYN STEPHENS;
AND GREG STEPHENS

APPELLANTS

V.

CHASE BANK USA, N.A.

APPELLEE

Opinion Delivered November 19, 2012

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT
[NO. CV-08-7020-13]HONORABLE COLLINS KILGORE,
JUDGEREBRIEFING ORDERED.

PER CURIAM

Appellants appeal several postjudgment decisions of the Pulaski County Circuit Court. However, we order the appellants to rebrief.

We do not reach the merits of their appeal because of the failure to comply with Ark. Sup. Ct. R. 4-1 (2012). We may raise issues of deficiencies sua sponte. *See* Ark. Sup. Ct. R. 4-2(b)(3) (2012); *Nash v. Ark. Elevator Safety Bd.*, 370 Ark. 86, 257 S.W.3d 80 (2007). Arkansas Supreme Court Rule 4-1(a) sets out specific guidelines for margins and typeface. Furthermore, Rule 4-1(b) instructs, “a brief shall not exceed 30 double-spaced pages including the conclusion.” Upon our review of appellants’ brief, the line spacing appears to be between single-spaced and double-spaced. In other words, their brief has approximately twenty-seven lines per page, while appellee’s brief has approximately eighteen lines per page.

Thus, the effect of that spacing gives the appellants more than the requisite thirty pages of text. This is after being denied their request for an enlargement of the page limit.

For these reasons, we order rebriefing. Arkansas Supreme Court Rule 4-1(e) (2012) provides that “[b]riefs not in compliance with this rule shall not be accepted by the Clerk.” We encourage appellate counsel, prior to filing the substituted brief, to review our rules to ensure that no additional deficiencies are present.

Because of the upcoming holiday, appellants have until November 29, 2012, to file a substituted brief that conforms with our rules. If appellants file a compliant brief by that deadline, then our Clerk shall accept the brief. After service of the substituted brief, the appellee shall have the opportunity to file a responsive brief within fourteen days, or may rely on the brief already filed in this appeal.

Rebriefing ordered.

Greg Stephens and *Janis Chalmers*, for appellant The Stephens Heirs, Kathryn Stephens et al.

McMullan Law Firm, by: *Amy Clemmons Brown* and *Marian Major McMullen*, for appellee.